

Michael Schwartzberg, Esq. - ID# 019191990
 650 Bloomfield Avenue, Suite 100
 Bloomfield, NJ 07003
 (973) 743-7733
 Attorney for Plaintiff

A & E HARBOR TRANSPORT, INC.	:	SUPERIOR COURT OF NEW JERSEY
	:	LAW DIVISION
Plaintiff,	:	
	:	MORRIS COUNTY
VS.	:	
	:	CIVIL ACTION
TRI-COASTAL DESIGN GROUP, INC. and	:	DOCKET NO. MRS-L-1902-20
VOTUM ENTERPRISES, LLC	:	
	:	
Defendants,	:	
	:	SUMMONS

From the State of New Jersey to the Defendant(s) Named below:

VOTUM ENTERPRISES, LLC

The plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (A directory of the addresses of each deputy clerk of the Superior Court is available in the Civil Division Management Office in the county listed above and online at http://www.judiciary.state.nj.us/prose/10153_deptyclerklawref.pdf.) If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, P.O. Box 971, Trenton, NJ 08625-0971. A filing fee payable to the Treasurer, State of New Jersey and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$175.00 and completed Case Information Statement) if you want the court to hear your defense.

If you do not file and serve a written answer or motion within 35 days, the court may enter a judgment against you for the relief plaintiff demands, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your money, wages or property to pay all or part of the judgment.

If you cannot afford an attorney, you may call the Legal Services Office in the county where you live or the Legal Services of New Jersey Statewide Hotline at 1-888-LSNJ-LAW (1-888-576-5529). If you do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A directory with contact information for local Legal Services Office and Lawyer Referral Services is available in the Civil Division Management Office in the county listed above and online at http://www.judiciary.state.nj.us/prose/10153_deptyclerklawref.pdf.

/s/ Michelle M. Smith, Esq.
Clerk of the Superior Court

Dated: November 24, 2020

Name of Defendant to be Served: Votum Enterprises, LLC

Address of Defendant to be Served: 1 Cardinal Drive, Little Falls, NJ 07424

Civil Case Information Statement

Case Details: MORRIS | Civil Part Docket# L-001902-20

Case Caption: A & E HARBOR TRANSPORT, INC. VS
TRI-COASTAL DES

Case Initiation Date: 09/23/2020

Attorney Name: MICHAEL S SCHWARTZBERG

Firm Name: MICHAEL SCHWARTZBERG

Address: 650 BLOOMFIELD AVENUE SUITE 100
BLOOMFIELD NJ 07003

Phone: 9737437733

Name of Party: PLAINTIFF : A & E HARBOR TRANSPORT,
INC.

Name of Defendant's Primary Insurance Company
(if known): None

Case Type: CONTRACT/COMMERCIAL TRANSACTION

Document Type: Complaint

Jury Demand: NONE

Is this a professional malpractice case? NO

Related cases pending: NO

If yes, list docket numbers:

Do you anticipate adding any parties (arising out of same
transaction or occurrence)? NO

Are sexual abuse claims alleged by: A & E HARBOR TRANSPORT,
INC.? NO

THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE

CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION

Do parties have a current, past, or recurrent relationship? NO

If yes, is that relationship:

Does the statute governing this case provide for payment of fees by the losing party? NO

Use this space to alert the court to any special case characteristics that may warrant individual
management or accelerated disposition:

Do you or your client need any disability accommodations? NO
If yes, please identify the requested accommodation:

Will an interpreter be needed? NO
If yes, for what language:

Please check off each applicable category: Putative Class Action? NO Title 59? NO Consumer Fraud? NO

I certify that confidential personal identifiers have been redacted from documents now submitted to the
court, and will be redacted from all documents submitted in the future in accordance with Rule 1:38-7(b)

09/23/2020
Dated

/s/ MICHAEL S SCHWARTZBERG
Signed

Michael Schwartzberg, Esq. - ID# 019191990
650 Bloomfield Avenue, Suite 100
Bloomfield, NJ 07003
(973) 743-7733
Attorney for Plaintiff

<hr/>		:	SUPERIOR COURT OF NEW JERSEY
A & E HARBOR TRANSPORT, INC.	:	:	LAW DIVISION
	:	:	
Plaintiff,	:	:	MORRIS COUNTY
	:	:	
VS.	:	:	CIVIL ACTION
	:	:	
TRI-COASTAL DESIGN GROUP, INC. and	:	:	DOCKET NO. MRS-L-1902-20
VOTUM ENTERPRISES, LLC	:	:	
	:	:	
Defendants,	:	:	
<hr/>		:	AMENDED COMPLAINT

Plaintiff, A & E Harbor Transport, Inc., having its place of business at 10054 East Alondra Boulevard, Unit 203, Bellflower, CA, hereby complains of the defendants as follows:

FIRST COUNT

1. The plaintiff is a corporation duly incorporated pursuant to the laws of the State of California.
2. The defendants are corporations formed under the laws of the State of New Jersey.
3. The plaintiff is in the business of trucking and transportation.
4. Between August 3, 2017 and March 12, 2020 the plaintiff provided trucking and transportation services to the defendants.
5. There is due and owing on said account the amount of \$126,459.20.
6. Payment has been demanded but not received.

WHEREFORE, plaintiff demands judgment against the defendants for \$126,459.20 plus

interest, attorney's fees and costs of suit.

SECOND COUNT

1. Plaintiff repeats each and every allegation of the first count as if the same were set forth at length herein.

2. Plaintiff sues for the reasonable value of goods and services.

WHEREFORE, plaintiff demands judgment against the defendants for \$126,459.20 plus interest, attorney's fees and costs of suit.

THIRD COUNT

1. Plaintiff repeats each and every allegation of the first two counts as if the same were set forth at length herein.

2. As a result of the foregoing the defendants have been unjustly enriched.

WHEREFORE, plaintiff demands judgment against the defendants for \$126,459.20 plus interest, attorney's fees and costs of suit.

FOURTH COUNT

1. Plaintiff repeats each and every allegation of the first three counts as if the same were set forth at length herein.

2. There is due in a certain book account the sum of \$126,459.20

WHEREFORE, plaintiff demands judgment against the defendants for \$126,459.20 plus interest, attorney's fees and costs of suit.

FIFTH COUNT

1. Plaintiff repeats each and every allegation of the first four counts as if the same were set forth at length herein.

2. The defendant Votum Enterprises, LLC is a successor interest to the defendant Tri-Coastal Design Group, Inc.

3. Votum Enterprises, LLC was formed on July 30, 2020 by Certificate of Formation filed with the State of New Jersey.

4. The formation of Votum Enterprises, LLC coincided with the approximate date that Tri-Coastal Design Group, Inc., through its attorney Tedd S. Levine, declared that it would “no longer in business.” Attached as Exhibit A is a copy of the letter from Tedd S. Levine.

5. The letter from Tedd S. Levine alleges that the assets of Tri-Coastal Design Group, Inc.’s asset were “foreclosed on” on “in the beginning of September, 2020.”

6. The letter further represents that “notification pursuant to Section 9-611 of the UCC was timely sent” the plaintiff did not receive any such notice. Further, the plaintiff has been in touch with at least one other creditor who confirms that it did not receive any notices either.

7. At the time that Tri-Coastal Design Group, Inc. allegedly went out of business, Votum Enterprises, LLC began to continue the business of Tri-Coastal Design Group, Inc.

8. Votum Enterprises, LLC was incorporated for the purposes, in whole or in part, of continuing the business of Tri-Coastal Design Group, Inc.

9. The filed Certificate of Formation of Votum Enterprises, LLC shows that the Member/Manager is Tedd S. Levine, the same person who represented Tri-Coastal Design Group, Inc.

10. Further, on September 21, 2020 Votum Enterprises, LLC began to pay the bills of Tri-Coastal Design Group, Inc. The plaintiff received a check for \$2,815 from Votum Enterprises, LLC, drawn on Votum’s bank account at Investors Bank, to satisfy one of the open invoices owed by Tri-Coastal Design Group, Inc. and owed to the plaintiff.

11. The owner of Tri-Coastal Design Group, Inc. and Votum Enterprises, LLC are the same, or are of the same family, and have a common ownership interest. The aforementioned check tendered by Votum Enterprises, LLC was signed by Dennis Mastrangelo, one of the owners and/or managers of Tri-Coastal Design Group, Inc.

12. Votum Enterprises, LLC is the legal successor to the liabilities of Tri-Coastal Design Group, Inc., is a mere continuation of Tri-Coastal Design Group, Inc., and/or the transfer of interest was entered into fraudulently to escape liability.

WHEREFORE, plaintiff demands judgment against the defendant Votum Enterprises, LLC for \$126,459.20 plus interest, attorney's fees and costs of suit.



MICHAEL SCHWARTZBERG, ESQ.
Attorney for Plaintiff

Dated: November 24, 2020

CERTIFICATION PURSUANT TO R. 4:5-1

Pursuant to Rule 4:5-1, the undersigned certifies that to the best of his knowledge, the within matter in controversy are not the subject of any other action pending in any other Court or of a pending arbitration proceeding nor is any action or arbitration contemplated nor are other parties required to be joined in this action.




MICHAEL SCHWARTZBERG, ESQ.
Attorney for Plaintiff

Dated: November 24, 2020

CERTIFICATION OF NO CONFIDENTIAL PERSONAL IDENTIFIERS

I certify that confidential personal identifiers have been redacted from any documents now submitted to the Court and will be redacted from all documents in the future in accordance with R. 1:38-7(b).



MICHAEL SCHWARTZBERG, ESQ.
Attorney for Plaintiff

Dated: November 24, 2020



TEDD S. LEVINE
ADMITTED IN: NY, NJ, CT

THE LAW OFFICES OF
TEDD S. LEVINE, LLC
LAWOFFICESOFTEDDSLEVINE@GMAIL.COM

MAIN OFFICE
HAUPPAUGE CENTER
150 MOTOR PARKWAY, SUITE 401
HAUPPAUGE, NY 11788
TELEPHONE 516-294-6852
FACSIMILE 516-294-4860

31 DOCK ROAD
REMSENBURG, NY 11960

Via email

September 18, 2020

Dear Supplier of Tri-Coastal Design:

In or about the beginning of September, 2020, Israel Discount Bank of New York ("IDB"), the secured lender for Tri-Coastal Design Group Inc. ("Tri-Coastal Design"), foreclosed on its perfected security interest and took ownership of all of Tri-Coastal Design's assets pursuant to Article 9 of the Uniform Commercial Code ("UCC") as a result of Tri-Coastal Design's defaults under its loan agreement with IDB. Notification pursuant to § 9-611 of the UCC was timely sent. On that same date, IDB sold the majority of the assets of Tri-Coastal Design to a third party in accordance with §§ 9-610 and 9-617(a) of the UCC and applied the proceeds against the amount due under loan. The remaining assets are being liquidated and, likewise, those proceeds are being applied against the loan. Thus, Tri-Coastal Design is no longer in business.

Should you have any further questions, please feel free to email me at lawofficesofteddslevine@gmail.com.

Sincerely,

THE LAW FIRM OF TEDD S. LEVINE, LLC

By: /s/Tedd S. Levine
Tedd S. Levine, Esq.

TSL/tl

NEW JERSEY DEPARTMENT OF THE TREASURY
DIVISION OF REVENUE AND ENTERPRISE SERVICES

CERTIFICATE OF FORMATION

VOTUM ENTERPRISES LLC
0450521720

The above-named DOMESTIC LIMITED LIABILITY COMPANY was duly filed in accordance with New Jersey State Law on 07/30/2020 and was assigned identification number 0450521720. Following are the articles that constitute its original certificate.

1. **Name:**
VOTUM ENTERPRISES LLC
2. **Registered Agent:**
GERALD PERILLO
3. **Registered Office:**
1 CARDINAL DRIVE
LITTLE FALLS, NEW JERSEY 07424
4. **Business Purpose:**
WHOLESALE OF GIFT PRODUCTS, NAMELY, COSMETICS, BATH & BODY PRODUCTS, STATIONERY PRODUCTS, AND APPAREL ACCESSORIES
5. **Effective Date of this Filing is:**
07/30/2020
6. **Members/Managers:**
TEDD S LEVINE
31 DOCK RD
SUITE 162
REMSENBERG, NEW YORK 11960-0162
7. **Main Business Address:**
1 CARDINAL DRIVE
LITTLE FALLS, NEW JERSEY 07424

Signatures:

TEDD S. LEVINE
AUTHORIZED REPRESENTATIVE



Certificate Number : 4109167011

Verify this certificate online at

https://www1.state.nj.us/TYTR_StandingCert/JSP/Verify_Cert.jsp

IN TESTIMONY WHEREOF, I have
hereunto set my hand and
affixed my Official Seal
30th day of July, 2020

A handwritten signature in cursive script, appearing to read "Elizabeth Maher Muoio".

Elizabeth Maher Muoio
State Treasurer

A&E HARBOR TRANSPORT INC.

10054 Alondra Blvd., Suite # 203
Bellflower, CA 90706**Invoice**

Date	Invoice #
8/25/2020	15570

Bill To	Deliver To
TRI COASTAL DESIGN 40 HARRY SHUPE BLVD WHARTON, NJ 07885	SHIP POINT DISTRIBUTION 12350 PHILADELPHIA ST UNIT B FONTANA, CA 92337

PAID
09/29/2020

P.O. Number	Terms	Delivery Date
ZIMU 5389	UPON RECEIPT	8/12/2020

Description	Quantity	Price Each	Amount
CONTAINER(S) TO CITY OF: FONTANA, CA	2	310.00	620.00
FUEL SURCHARGE:	2	75.00	150.00
CLEAN TRUCK FEE	2	50.00	100.00
PRE PULL CHARGE:	2	125.00	250.00
CHASSIS CHARGES: FCIU9044782 (08/10 - 08/21/20) CALENDAR DAYS	12	30.00	360.00
CHASSIS CHARGES: ZIMU3010275 (08/10 - 08/24/20) CALENDAR DAYS	15	30.00	450.00
HAZARDOUS CHARGE:	2	200.00	400.00
BOB TAIL:	2	310.00	620.00
CONTAINERS: FCIU9044782 ZIMU3010275 B/L #: ZIMUSHH30265389			

***Be advise that A&E Harbor Transport, requires 2 full business days to return empty containers back to the Port without liability on Chassis or Per Diems days. We need to be notified before 2:00 P.M. If notice is received on Friday or holidays, the liability for empty return must be extended until the next business day. ***

Thank you for your business.

Total \$2,950.00

Please make all checks payable to: A & E HARBOR TRANSPORT INC.

Payments/Credits -\$2,950.00If you have any questions regarding this invoice - please email
dispatch2@aeharbortrans.com**Balance Due** \$0.00

VOTUM ENTERPRISES LLC

1 CARDINAL DR
LITTLE FALLS, NJ 07424-1638

55-7203/2212

1001

Sept 21, 2020
date

SECURED BY
PINFIELD

Pay to the order of *A+E Transport*

\$ *2,815.00*

Two Thousand Eight Hundred fifteen and 00/100 dollars



Security Features
Pinfield
Details on Back



investorsBank

1-855-402-6548 • investorsbank.com

for Open balance current 15570

[Signature]

MP

01001

*Votum Enterprises
1 Cardinal Drive
Little Falls, NJ
07424*

DV DANIELS NJ 070

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24 SEP 2020 PM 7 L



A + E Harbor Transport

10054 Alondra Blvd

Ste. 203

Bellflower, CA

SEP 25 2020 1552

